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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,889	07/12/2001	Abc Dunoff	PRA 3.0-001	9171

7590 09/09/2004

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/902,889	DUNOFF ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thjuan P Knowlin	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections – 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leman et al (US 5,127,844), in view of Etue (US 6,062,518).
2. In regards to claim 1, Leman discloses a cellular phone cradle device (connection block) for receiving a cellular phone and for detachably connecting said device to a plug-in receptacle (cigarette lighter outlet) on a dashboard or console of a vehicle, comprising: a base cradle member (connection block) having a receiving compartment (latch claws 2) for receiving a cellular phone; said base cradle member having interfacing electrical ports (cable 1) for connecting to the electrical ports of the cellular phone; a plug-in adapter (plug-in adapter 9) for detachably connecting said base cradle member to a plug-in receptacle of a vehicle for providing power to said base cradle member; said plug-in adapter having an interior electrical port (Fig. 1, Fig. 2, and Fig. 3); a hollow and flexible extension coupling having an internal channel for receiving at least one electrical connector wire extending therethrough for electrical connection to said electrical ports of said base interior electrical connector port of said plug-in adapter and for electrical connection to said base cradle member (Fig. 1, Fig. 2, and Fig. 3). Leman,

however, does not disclose said flexible extension coupling including a first end connected to said base cradle member and a second end connected to said plug-in adapter; and said flexible extension coupling including adjusting means having a memory for resetting said coupling into multiple positions which are maintained until the user changes and resets the position of said coupling in order to adjust the position of said cellular phone cradle device according to the position desired by the user in using the cellular phone in a hands-free operation. Etue, however, does disclose said flexible extension coupling including a first end connected to said base cradle member and a second end connected to said plug-in adapter; and said flexible extension coupling including adjusting means having a memory for resetting said coupling into multiple positions which are maintained until the user changes and resets the position of said coupling in order to adjust the position of said cellular phone cradle device according to the position desired by the user in using the cellular phone in a hands-free operation (col. 2 lines 11-21 and col. 4 lines 24-35). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ the device with adjusting means and multiple positions as a way of positioning the cellular phone in a convenient position for use by the driver while operating the vehicle. Thus making the cellular phone easily reachable, causing less hazard.

3. In regards to claims 2, 3, 4, and 5, Etue discloses a cellular phone cradle device, wherein said adjusting means for providing multiple positions includes an outer spine having memory for setting and maintaining a specific position of said flexible extension

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coupling relative to said base cradle member until it is changed by the user (Fig. 2, col. 2 lines 11-21, and col. 4 lines 24-35).

4. In regards to claim 6, Etue discloses a cellular phone cradle device, wherein said first end of said flexible extension coupling includes a first snap-in connector member, and said second end of said flexible extension coupling includes a second snap-in connector member (Fig. 2, col. 3 lines 12-31, and col. 3-4 lines 66-12).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Van Order et al (US 6,227,505) teach an adjustable accessory mount.

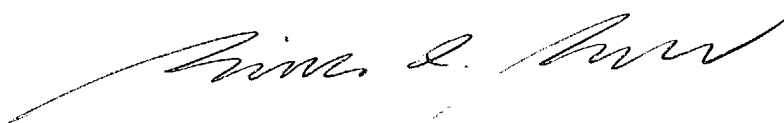
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

A handwritten signature in black ink, appearing to read "Bing Q. Bui", written in a cursive style.

**BING Q. BUI**  
**PRIMARY EXAMINER**